



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE:GK/JRS/DL
F. #2018R01401

*271 Cadman Plaza East
Brooklyn, New York 11201*

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By Email and ECF

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Counsel for Rachel Cherwitz

Counsel for Nicole Daedone

Re: United States v. Rachel Cherwitz and Nicole Daedone
Criminal Docket No. 23-146 (DG)

Dear Counsel:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery is being produced to you pursuant to the Protective Order in the above-captioned matter, entered on June 26, 2023. ECF Dkt. No. 26.

I. The Government's Discovery

A. Documents and Tangible Objects

- Records from The Charles Schwab Corporation (ONETASTE00240160 – ONETASTE00240320);
- Records from Fidelity Investments (ONETASTE00240321 – ONETASTE--241238); and

- An attachment to an email exchanged by OneTaste members and leadership (ONETASTE00241239).¹

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the discovery. You may examine physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

The government renews its request for reciprocal discovery from the defendants. Please note that the defendants' obligations under Fed. R. Crim. P. 16(b) include identification of "all non-impeachment exhibits [the defendants] intend to use in their defense at trial, whether the exhibits will be introduced through a government witness or a witness called by a Defendant." United States v. Napout, No. 15-CR-252 (PKC), 2017 WL 6375729, at *7 (E.D.N.Y. Dec. 12, 2017); accord United States v. Smothers, No. 20-CR-213 (KAM), 2023 WL 348870, at *22 (E.D.N.Y. Jan. 20, 2023).

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/ Lauren H. Elbert
Lauren H. Elbert
Gillian Kassner
Devon Lash
Jonathan Siegel
Assistant U.S. Attorney
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Enclosures

cc: Clerk of the Court (DG) (by ECF) (without enclosures)

¹ The document herein corresponds with the documents previously produced at ONETASTE00221651 - ONETASTE00240158 on October 26, 2023. The document is password protected, and neither the producing party nor the government is in possession of the password. If the government receives the password, it will produce the password as soon as practicable.